

urgent

**TO: Mr. Charles L.A. Terreni
Chief Clerk/Administrator
P.O. Drawer 11649
S.C. Public Service Commission
Ph:1 803 896 5713/5230; Fax 1803 8965231**

**FROM: NAME: BEATRICE WEAVER
ADDRESS: 1253 HARLLEES BRIDGE ROAD, DILLON S.C. 29536
PHONE #: 1 843 841 1606
TELEFAX #: 1 843 841 1606**

**SUBJECT: Progress Energy
File No: 2004-219-E**

DATE: Jan. 6, 2006

No of Pages: 5 INCLUSIVE

Message:

- 1. Attached please find one telefaxed copy of Mrs. Weaver's Memorandum dated January 6, 2006 and copy of letter dated December 21, 2005.**
- 2. Said Memorandum is timely filed.**
- 3. Please distribute to interested parties as appropriate.**

Thank you.

Memo To: Mr. Charles L.A. Terreni
Chief Clerk/Administrator
S.C. Public Service Commission
P.O. Drawer 11649
Colombia S.C. 29211
Ph: 1803 896 5113; Fx: 1 803 896 5231

From: Beatrice Weaver
1253 Harllees Bridge Rd
Dillon S.C. 29536
Ph/Fax: 1 843 841 1606

Subject: Your telefax letter dated January 5, 2006;
Letter dated December 21, 2005 from Jocelyn G. Boyd;
Notice of Hearing dated December 21, 2006

Ref: Case No: 2004-219-E

Date: Friday, January 6, 2006 VIA TELEFAX AND US MAIL

Mr. Terreni:

At the request of Mrs. Weaver the following notice is hereby transmitted to your Office on her behalf.

Your Office is herewith given timely notice that Mrs. Weaver shall not be able to attend the Hearing that has been arbitrarily scheduled for January 12, 2006 for medical and other reasons which are on file with the Commission.

Accordingly, this notice constitutes a formal request to continue the subject Hearing now scheduled for January 12, 2006, pursuant to Mrs. Weaver's Motion to Continue dated October 10, 2005 filed with the Commission, and her letter dated December 21, 2006.

Further, this is to re-confirm that Mrs. Weaver wishes to attend the Hearing in person at a future date set in a timely manner, and mutually agreed upon by all parties concerned, including the scope and legal parameters of the Hearing Agenda pursuant to proper administrative procedures under the Regulations.

Please note that Mrs. Weaver has spent the entire month of December 2005 at Duke University Medical Center in Durham, N.C. Your Office has previously been apprised of this situation at considerable length. Further, your Office was previously duly

notified that she will be spending most of January 2006 at Duke University Medical Center in Durham, N.C. for various follow-up medical treatments and other medical appointments. Please refer to previous correspondence and pleadings that she has filed relating to this matter, dating from September 2005.

On or about December 20, 2005 Mrs. Weaver returned to Dillon S.C. for the Christmas season. Despite her illness she wrote you a letter dated December 21, 2005 (copy attached), in which she specifically requested (at para. # 2, line 3) that you do NOT take any action or set up any Hearings pending her submittal of her detailed rebuttals to Mr. Len Anthony's letter to you dated December 6, 2005. Contrary to that specific request you arbitrarily and without due prior notice and her acceptance of the date/time, scheduled the subject Hearing. See also her Motion to Continue dated October 10, 2005 wherein she requested continuance of this matter until after March 16, 2006 for medical reasons.

Mrs. Weaver's continued illness and stress from the prevailing cold in her residence during the Christmas/New Year holiday period unfortunately culminated in a minor myocardial infarction on January 4th, 2006. The outcome of this remains uncertain.

Your telefax correspondence yesterday, January 5, 2006 was the first time Mrs. Weaver learned of the scheduled Hearing for January 12, 2006. Your telefax prompted the delivery into her hands of the two sealed envelopes which contained the Notice of the Hearing and cover letters. Until then, she was completely unaware of any Hearing being scheduled. The two sealed letters dated December 21, 2006 concerning the Notice of Hearing, received on the eve of Christmas and requiring a response by January 2, 2006 a public holiday, were withheld from her because of her illness, and not delivered into her hands until yesterday late afternoon, after the receipt of your telefax.

The short notice of the Hearing date raises procedural questions as to service of process under the Commission regulations. For example, she has never received a copy of the Commission Order 2005-774 referred to in your Notice.

Further, Mrs. Weaver requested certain information in her previous correspondence, without which she cannot participate in a Hearing or file further

for information, and unless and until she receives same, she cannot participate in any Hearing, or prepare and file pleadings even if she were medically able to do so.

To reiterate, instead of respecting her requests to continue the case as cited, on December 21, 2005 the same day of her letter to your Office, you all rushed to arbitrarily

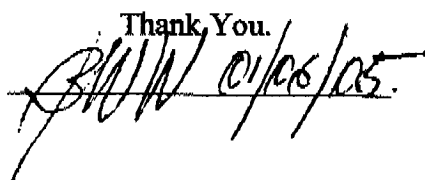
schedule a Hearing for January 12, 2006. This appears to be highly irregular and Mrs. Weaver advises your Office that she strongly objects to this action for both medical and procedural reasons.

A further detailed response shall be prepared and filed with your Office as soon as her medical condition permits. Meanwhile please be so kind as to provide the following information by return telefax:

1. Copy of Commission Order No. 2005-774.
 - a. Please include the date and time of the Commission Meeting; the names of attendants; and full transcript of the Commission's proceedings respecting this matter.
 - b. In what manner did Mr. Len Anthony accept and agree to the date/time of the scheduled Hearing?
2. Copy of the pertinent Commission Rules and Regulations governing the service and processing of formal Notices and Appeals, and procedures for settings hearing dates.
3. Response to the requests contained in Mrs. Weaver's letters dated November 17, 2005 and December 21, 2005.

In conclusion, to clarify the situation, please note that the Estate Business Office where the telefax and other business equipment are located, is a separate large unit with its own entrance. Agents handling Estate Business during the Owner's absence, have no access to the Manor House and/or its private residence. As of late, important business matters are usually brought to Mrs. Weaver's attention when she is "up to it."

On behalf of Mrs. Weaver your understanding, cooperation and support in handling this matter is respectfully requested. Please provide copies of this Memorandum to all parties concerned.

Thank You.
Prepared by staff and Authorized by Mrs. Weaver:  01/06/05.

1253 Harlees Bridge Rd
Dillon S.C. 29536
Ph/Fax: 1 843 841 1606

December 21, 2005

Mr. Charles L.A. Terreni
Chief clerk/Administrator
S.C. Public Service Commission
P.O. Drawer 11649
Colombia S.C. 29211
Ph: 1803 896 5113; Fx: 1 803 896 5231

Dear Mr. Terreni:

Subject: Your letter dated December 7, 2005
Ref: Case No: 2004-219-E

I just returned from Duke University Medical Center, in Durham, N.C. and found your letter dated December 7, 2005.

I also acknowledge my receipt today of a copy of Mr. Anthony's letter to you dated December 6, 2005. I shall submit my detailed, point by point rebuttal reply to this misleading letter shortly, under separate cover. I request no action be taken on the basis of his letter, by any party, until receipt of my rebuttal to Mr. Anthony's usual and customary misrepresentation of the facts.

Meanwhile, please disclose to me information on the respective parties to whom you sent a copy of your letter and my correspondence. Specifically, by return mail and fax, I wish to know the following relating to shudson@regstaff, Mr. Joseph Melchers and Ms. Jocelyn Boyd:

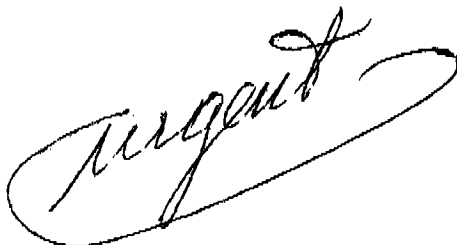
Title or Position; Name of Organization; Address; Phone/Fax
Relationship to the case.

I am waiting for your response to my request for an Amended Order dismissing "with prejudice" the Petition as requested by Mr. Anthony, and the other points in my recently filed request.

Finally, for the record I repeat my formal advice that I am holding any and all parties involved in this case, liable for any and all damages and losses, emotional physical and medical stress and suffering, violation of regulations, and related counts as previously filed with your Office and PEC's Mr. Len. Anthony, resulting from failure to follow medical certification that my medical condition requires full electric power supply to my residence at the above address.

Yours sincerely,

Beatrice Weaver



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Further, Mrs. Weaver requested certain information in her previous correspondence, without which she cannot participate in a Hearing or file further pleadings. Your Office and/or Mr. Len Anthony have not yet responded to those requests

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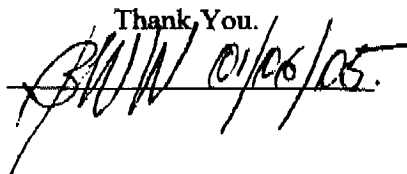
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